

Senate Bill No. 391—Senators Porter and James

CHAPTER.....

AN ACT relating to land use planning; providing for the establishment of provisions to preserve the rural character and density of certain areas in larger counties; providing for a governing body to establish an analysis of the cost to construct infrastructure in certain areas; authorizing the governing body to enter into agreements to carry out the plan for the development of infrastructure in certain areas; revising the limitation on local control over the location of housing for persons with disabilities; requiring the health division of the department of human resources to maintain a registry of residential facilities for groups; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 278 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 12, inclusive, of this act.

Sec. 2. *“Average residential density” means the number of lots intended for residential dwelling units within the boundaries of a subdivided or developed area, divided by the total number of acres within the boundaries of the subdivision or developed area.*

Secs. 3 and 3.5. (Deleted by amendment.)

Sec. 4. *“Infrastructure” or “public facilities” means water, sanitary sewer, storm sewer, street, parks, fire, police and flood protection.*

Sec. 5. *“Residential dwelling unit” has the meaning ascribed to it in NRS 278.4977.*

Sec. 6. *“Rural preservation neighborhood” means a subdivided or developed area:*

- 1. Which consists of 10 or more residential dwelling units;*
- 2. Where the outer boundary of each lot that is used for residential purposes is not more than 330 feet from the outer boundary of any other lot that is used for residential purposes;*

3. Which has no more than two residential dwelling units per acre; and

- 4. Which allows residents to raise or keep animals noncommercially.*

Sec. 6.5. (Deleted by amendment.)

Sec. 7. *“Used for residential purposes” means a lot or parcel of land that is 5 acres or less in area and contains a residential dwelling unit of a permanent nature.*

Sec. 8. 1. *In a county with a population of 400,000 or more, the governing body shall take such actions as are necessary and appropriate to ensure that the rural character of each rural preservation neighborhood is preserved.*

2. Unless a rural preservation neighborhood is located within 330 feet of an existing or proposed street or highway that is more than 99 feet

wide, the governing body shall, to the extent practicable, adopt any zoning regulation or restriction that is necessary to:

- (a) Maintain the rural character of the area developed as a low density residential development;
- (b) Except as otherwise provided in subsection 4, ensure that the average residential density for that portion of the zoning request that is located within 330 feet of a rural preservation neighborhood does not exceed three residential dwelling units per acre; and
- (c) Provide adequate buffer areas, adequate screening and an orderly and efficient transition of land uses, excluding raising or keeping animals commercially or noncommercially.

3. The governing body may modify the standards for the development of infrastructure to maintain the rural character of the rural preservation neighborhood.

4. The governing body may, for good cause shown, allow a greater density or intensity of use when that use is less than 330 feet from a rural preservation neighborhood.

Sec. 9. The provisions of sections 11 and 12 of this act, sections 1 to 12, inclusive, of Assembly Bill No. 493 of this session and sections 3 and 4 of Senate Bill No. 394 of this session apply only to counties whose population is 400,000 or more and cities located within those counties.

Sec. 10. (Deleted by amendment.)

Sec. 11. 1. A governing body may establish, independently or in conjunction with another governing body, an analysis of the cost to construct infrastructure in an area which is relatively undeveloped and which is likely to become developed.

2. The analysis of the cost to construct infrastructure in an area that is relatively undeveloped must include, without limitation:

- (a) A precise description of the area, either in the form of a legal description or by reference to roadways, lakes and waterways, railroads or similar landmarks, and township, county or city boundaries;
- (b) An estimate of the expected total population of the area when the land becomes fully developed;
- (c) An assessment of the infrastructure that will be necessary to support the area when it becomes fully developed according to the master plan adopted by the governing body pursuant to NRS 278.220; and
- (d) A plan for the development of the infrastructure which includes, without limitation:
 - (1) Any minimum requirements for the development of infrastructure that have been determined by the regional planning coalition;
 - (2) A plan to meet the anticipated needs of the area for police and fire protection, parks, roads, regional transportation and flood control facilities when the land becomes fully developed;
 - (3) An estimate of the date on which each phase of the development will occur;

(4) *The manner in which the plan for the development of the infrastructure will be implemented; and*

(5) *An economic analysis of the cost to plan and develop fully the infrastructure for the area.*

3. *The governing body may, if it finds that the analysis of the projected need for infrastructure is consistent with the master plan, approve the analysis by ordinance.*

4. *The governing body shall provide the necessary copies of the analysis to the regional planning coalition for review and information.*

Sec. 12. 1. *A governing body may carry out the plan for infrastructure by negotiating master development agreements, independently or in conjunction with an interlocal agreement for the area.*

2. *As used in this section, “master development agreement” means a written agreement:*

(a) *Between a governing body and a person who has a legal or equitable interest in land that is entered into upon the application of the person who wishes to develop that land;*

(b) *To enable the governing body to distribute equitably the costs to develop infrastructure for an area of land that is largely undeveloped; and*

(c) *That is based on an analysis of the need for infrastructure that is prepared pursuant to section 11 of this act.*

Sec. 12.5. (Deleted by amendment.)

Sec. 13. NRS 278.010 is hereby amended to read as follows:

278.010 As used in NRS 278.010 to 278.630, inclusive, *and sections 2 to 12, inclusive, of this act*, unless the context otherwise requires, the words and terms defined in NRS 278.0105 to 278.0195, inclusive, *and sections 2 to 7, inclusive, of this act* have the meanings ascribed to them in those sections.

Sec. 13.3. NRS 278.021 is hereby amended to read as follows:

278.021 1. ~~1. [The purpose of this section is to remove obstacles imposed by zoning ordinances, declarations of restrictions, deed restrictions, restrictive covenants and equitable servitudes which prevent persons who are mentally retarded from living in normal residences.~~

~~—2.] In any ordinance adopted by a city or county, the definition of “single-family residence” must include a [home in which six or fewer unrelated persons who are mentally retarded reside with one or two additional persons to act as house parents or guardians who need not be related to each other or any of the mentally retarded persons who reside in the house.~~

~~—3.—This section does] :~~

(a) *Residential facility for groups in which 10 or fewer unrelated persons with disabilities reside with:*

(1) *House parents or guardians who need not be related to any of the persons with disabilities; and*

(2) *If applicable, additional persons who are related to the house parents or guardians within the third degree of consanguinity or affinity.*

(b) *Home for individual residential care.*

2. *The provisions of subsection 1 do not prohibit a definition of "single-family residence" which permits more persons to reside in the house, nor does it prohibit regulation of homes which are operated on a commercial basis.*

~~[4.—For the purposes of subsection 1, a residence for mentally retarded persons is not a commercial activity.]~~ *For the purposes of this subsection, a residential facility for groups or a home for individual residential care shall not be deemed to be a home that is operated on a commercial basis for any purposes relating to building codes or zoning.*

3. *The health division of the department of human resources shall compile and maintain a registry of information relating to each residential facility for groups that exists in this state and shall make available for access on the Internet or its successor, if any, the information contained in the registry. The registry must include with respect to each residential facility for groups:*

(a) *The name of the owner of the facility;*

(b) *The name of the administrator of the facility;*

(c) *The address of the facility; and*

(d) *The number of clients for which the facility is licensed.*

Any department or agency of a county or city that becomes aware of the existence of a residential facility for groups that is not included in the registry shall transmit such information to the health division, as is necessary, for inclusion in the registry within 30 days after obtaining the information.

4. *The governing body of a county whose population is 100,000 or more or the governing body of a city in such a county or any department or agency of the city or county shall approve the first application submitted on or after July 1, 2000, to operate a residential facility for groups within a particular neighborhood in the jurisdiction of the governing body. If, on or after July 1, 2000, a subsequent application is submitted to operate an additional residential facility for groups at a location that is within 660 feet from an existing residential facility for groups, the governing body shall review the application based on applicable zoning ordinances. The requirements of this subsection do not require the relocation or displacement of any residential facility for groups which existed before July 1, 2000, from its location on that date. The provisions of this subsection do not create or impose a presumption that the location of more than one residential facility for groups within 660 feet of each other is inappropriate under all circumstances with respect to the enforcement of zoning ordinances and regulations.*

5. *The governing body of a county or city shall not refuse to issue a special use permit to a residential facility for groups that meets local public health and safety standards.*

6. *The provisions of this section must not be applied in any manner which would result in a loss of money from the Federal Government for programs relating to housing.*

7. *As used in this section:*

(a) *“Home for individual residential care” has the meaning ascribed to it in NRS 449.0105.*

(b) *“Person with a disability” means a person:*

(1) *With a physical or mental impairment that substantially limits one or more of the major life activities of the person;*

(2) *With a record of such an impairment; or*

(3) *Who is regarded as having such an impairment.*

(c) *“Residential facility for groups” has the meaning ascribed to it in NRS 449.017.*

Sec. 13.7. (Deleted by amendment.)

Sec. 14. NRS 278.160 is hereby amended to read as follows:

278.160 1. The master plan, with the accompanying charts, drawings, diagrams, schedules and reports, may include such of the following subject matter or portions thereof as are appropriate to the city, county or region, and as may be made the basis for the physical development thereof:

(a) Community design. Standards and principles governing the subdivision of land and suggestive patterns for community design and development.

(b) Conservation plan. For the conservation, development and utilization of natural resources, including water and its hydraulic force, underground water, water supply, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals and other natural resources. The plan must also cover the reclamation of land and waters, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan, prevention, control and correction of the erosion of soils through proper clearing, grading and landscaping, beaches and shores, and protection of watersheds. The plan must also indicate the maximum tolerable level of air pollution.

(c) Economic plan. Showing recommended schedules for the allocation and expenditure of public money in order to provide for the economical and timely execution of the various components of the plan.

(d) Historical properties preservation plan. An inventory of significant historical, archaeological and architectural properties as defined by a city, county or region, and a statement of methods to encourage the preservation of those properties.

(e) Housing plan. The housing plan must include, but is not limited to:

(1) An inventory of housing conditions, needs and plans and procedures for improving housing standards and for providing adequate housing.

(2) An inventory of affordable housing in the community.

(3) An analysis of the demographic characteristics of the community

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(4) A determination of the present and prospective need for affordable housing in the community.

(5) An analysis of any impediments to the development of affordable housing and the development of policies to mitigate those impediments.

(6) An analysis of the characteristics of the land that is the most appropriate for the construction of affordable housing.

(7) An analysis of the needs and appropriate methods for the construction of affordable housing or the conversion or rehabilitation of existing housing to affordable housing.

(8) A plan for maintaining and developing affordable housing to meet the housing needs of the community.

(f) Land use plan. An inventory and classification of types of natural land and of existing land cover and uses, and comprehensive plans for the most desirable utilization of land. The land use plan may include a provision concerning the acquisition and use of land that is under federal management within the city, county or region, including, without limitation, a plan or statement of policy prepared pursuant to NRS 321.7355.

(g) Population plan. An estimate of the total population which the natural resources of the city, county or region will support on a continuing basis without unreasonable impairment.

(h) Public buildings. Showing locations and arrangement of civic centers and all other public buildings, including the architecture thereof and the landscape treatment of the grounds thereof.

(i) Public services and facilities. Showing general plans for sewage, drainage and utilities, and rights of way, easements and facilities therefor, including any utility projects required to be reported pursuant to NRS 278.145.

(j) Recreation plan. Showing a comprehensive system of recreation areas, including natural reservations, parks, parkways, reserved riverbank strips, beaches, playgrounds and other recreation areas, including, when practicable, the locations and proposed development thereof.

(k) *Rural neighborhoods preservation plan. In any county whose population is 400,000 or more, showing general plans to preserve the character and density of rural neighborhoods.*

(l) Safety plan. In any county whose population is 400,000 or more, identifying potential types of natural and man-made hazards, including hazards from floods, landslides or fires, or resulting from the manufacture, storage, transfer or use of bulk quantities of hazardous materials. The plan may set forth policies for avoiding or minimizing the risks from those hazards.

~~(m)~~ (m) School facilities plan. Showing the general locations of current and future school facilities based upon information furnished by the appropriate local school district.

~~(m)~~ (n) Seismic safety plan. Consisting of an identification and appraisal of seismic hazards such as susceptibility to surface ruptures from faulting, to ground shaking or to ground failures.

~~(n)~~ (o) Solid waste disposal plan. Showing general plans for the disposal of solid waste.

~~(e)~~ (p) Streets and highways plan. Showing the general locations and widths of a comprehensive system of major traffic thoroughfares and other traffic ways and of streets and the recommended treatment thereof, building line setbacks, and a system of naming or numbering streets and numbering houses, with recommendations concerning proposed changes.

~~(e)~~ (q) Transit plan. Showing a proposed system of transit lines, including rapid transit, streetcar, motorcoach and trolley coach lines and related facilities.

~~(q)~~ (r) Transportation plan. Showing a comprehensive transportation system, including locations of rights of way, terminals, viaducts and grade separations. The plan may also include port, harbor, aviation and related facilities.

2. The commission may prepare and adopt, as part of the master plan, other and additional plans and reports dealing with such other subjects as may in its judgment relate to the physical development of the city, county or region, and nothing contained in NRS 278.010 to 278.630, inclusive, prohibits the preparation and adoption of any such subject as a part of the master plan.

Secs. 14.3 and 14.7. (Deleted by amendment.)

Sec. 15. NRS 278.250 is hereby amended to read as follows:

278.250 1. For the purposes of NRS 278.010 to 278.630, inclusive, the governing body may divide the city, county or region into zoning districts of such number, shape and area as are best suited to carry out the purposes of NRS 278.010 to 278.630, inclusive. Within the zoning district it may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land.

2. The zoning regulations must be adopted in accordance with the master plan for land use and be designed:

(a) To preserve the quality of air and water resources.

(b) To promote the conservation of open space and the protection of other natural and scenic resources from unreasonable impairment.

(c) To provide for recreational needs.

(d) To protect life and property in areas subject to floods, landslides and other natural disasters.

(e) To conform to the adopted population plan, if required by NRS 278.170.

(f) To develop a timely, orderly and efficient arrangement of transportation and public facilities and services, including facilities and services for bicycles.

(g) To ensure that the development on land is commensurate with the character and the physical limitations of the land.

(h) To take into account the immediate and long-range financial impact of the application of particular land to particular kinds of development, and the relative suitability of the land for development.

- (i) To promote health and the general welfare.
- (j) To ensure the development of an adequate supply of housing for the community, including the development of affordable housing.

(k) To ensure the protection of existing neighborhoods and communities, including the protection of rural preservation neighborhoods.

3. The zoning regulations must be adopted with reasonable consideration, among other things, to the character of the area and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city, county or region.

4. In exercising the powers granted in this section, the governing body may use any controls relating to land use or principles of zoning that the governing body determines to be appropriate, including, without limitation, density bonuses, inclusionary zoning and minimum density zoning.

5. As used in this section:

(a) “Density bonus” means an incentive granted by a governing body to a developer of real property that authorizes the developer to build at a greater density than would otherwise be allowed under the master plan, in exchange for an agreement by the developer to perform certain functions that the governing body determines to be socially desirable, including, without limitation, developing an area to include a certain proportion of affordable housing.

(b) “Inclusionary zoning” means a type of zoning pursuant to which a governing body requires or provides incentives to a developer who builds residential dwellings to build a certain percentage of those dwellings as affordable housing.

(c) “Minimum density zoning” means a type of zoning pursuant to which development must be carried out at or above a certain density to maintain conformance with the master plan.

Secs. 16-22. (Deleted by amendment.)

Sec. 23. Section 1 of Assembly Bill No. 493 of this session is hereby amended to read as follows:

Section 1. Chapter 278 of NRS is hereby amended by adding thereto the provisions set forth as sections 3 to 12, inclusive, of this act.

Sec. 24. Section 5 of Assembly Bill No. 493 of this session is hereby amended to read as follows:

Sec. 5. 1. The regional planning coalition shall develop a comprehensive regional policy plan for the balanced economic, social, physical, environmental and fiscal development and orderly management of the growth of the region for a period of at least 20 years. The comprehensive regional policy plan must contain recommendations of policy to carry out each part of the plan.

2. In developing the plan, the coalition:
 - (a) May consult with other entities that are interested or involved in regional planning within the county.
 - (b) Shall ensure that the comprehensive regional policy plan includes goals, policies, maps and other documents relating to:
 - (1) Conservation, including, without limitation, policies relating to the use and protection of natural resources.
 - (2) Population, including, without limitation, ~~[a projection of]~~ **standardized projections for** population growth in the region.
 - (3) Land use and development, including, without limitation, a map of land use plans that have been adopted by local governmental entities within the region.
 - (4) Transportation.
 - (5) ~~[Public]~~ **The efficient provision of public** facilities and services ~~[,]~~, **including, without limitation, roads, water and sewer service and police and fire protection, mass transit, libraries and parks.**
 - (6) Air quality.
 - (7) Strategies to promote and encourage:
 - (I) The interspersions of new housing and businesses in established neighborhoods; and
 - (II) Development in areas in which public services are available.

3. The regional planning coalition shall not adopt or amend the comprehensive regional policy plan unless the adoption or amendment is by resolution of the regional planning coalition:

- (a) Carried by the affirmative votes of not less than two-thirds of its total membership; and
- (b) Ratified by the board of county commissioners of the county and the city council of each city that jointly established the regional planning coalition pursuant to section ~~[4 of this act.]~~ **3 of Senate Bill No. 394 of this session as amended by section 33 of this act.**

Sec. 25. Section 6 of Assembly Bill No. 493 of this session is hereby amended to read as follows:

Sec. 6. 1. The regional planning coalition shall study and develop methods to provide incentives for the interspersions of new housing and businesses in established neighborhoods, including, without limitation, the:

- (a) Creation of an expedited process for granting necessary permits for a development that features such interspersions; and
- (b) Imposition of a fee for the extension of infrastructure to encourage such interspersions.

2. As used in this section, "infrastructure" means publicly owned or publicly supported facilities that are necessary or desirable to support intense habitation within a region, including, without limitation, parks, roads, schools, **libraries**, community

centers, *police and fire protection*, sanitary sewers, facilities for mass transit and facilities for the conveyance of water and the treatment of wastewater.

Sec. 26. Section 7 of Assembly Bill No. 493 of this session is hereby amended to read as follows:

Sec. 7. 1. The regional planning coalition may:

- (a) Coordinate sources of information;
- (b) Recommend measures to increase the efficiency of governmental entities and services;
- (c) Make recommendations regarding the disposal of federal land;
- (d) Establish methods for resolving issues related to *annexation*, boundaries and other matters that arise between jurisdictions;
- (e) ~~[Review:]~~ *At least every 2 years, review:*
 - (1) Master plans, facilities plans and other similar plans, and amendments thereto, adopted by a governing body, regional agency, state agency or public utility that is located in whole or in part within the region; and
 - (2) The annual plan for capital improvements that is prepared by each local government in the region pursuant to NRS 278.0226;
- (f) Develop and recommend, to the extent practicable, standardized classifications for land use for the region;
- (g) Consider and take necessary action with respect to any issue that the regional planning coalition determines will have a significant impact on the region, including, without limitation, projects of regional significance;
- (h) Review, consider and make recommendations regarding applications submitted to agencies of the Federal Government and applications for federal assistance for federally-assisted programs or projects; and
- (i) Designate allowable future land uses for each part of the county, including, without limitation, the identification of each category of land use in which the construction and operation of a public school is permissible. The identification of a category of land use in which the construction and operation of a public school is permissible must be carried out in consultation with the county school district and include a determination of whether there is sufficient land in the proximity of a residential development to meet projected needs for public schools.

2. The regional planning coalition shall establish a definition for the term “project of regional significance.” In establishing the definition, the regional planning coalition shall consider:

- (a) Existing definitions of the term within the Nevada Revised Statutes; and
- (b) That a project may have regional significance for several reasons, including, without limitation, the potential impact that the

project may have on historic, archaeological, cultural, scenic and natural resources, public facilities and public services within the region.

Sec. 27. Section 8 of Assembly Bill No. 493 of this session is hereby amended to read as follows:

Sec. 8. Each governing body, regional agency, state agency or public utility that is located in whole or in part within the region shall, ~~{not more than once}~~ **at least** every 2 years, submit to the regional planning coalition for its review all master plans, facilities plans and other similar plans of the governing body, regional agency, state agency or public utility.

Sec. 28. Section 11 of Assembly Bill No. 493 of this session is hereby amended to read as follows:

Sec. 11. *The regional planning coalition may employ persons or contract for services necessary to carry out:*

- 1. The provisions of sections 5 to 12, inclusive, of this act; and*
- 2. Other responsibilities set forth in the cooperative agreement pursuant to which the regional planning coalition was established pursuant to section 3 of Senate Bill No. 394 of this session as amended by section 33 of this act.*

Sec. 29. Section 12 of Assembly Bill No. 493 of this session is hereby amended to read as follows:

Sec. 12. 1. ~~{Not more than once}~~ **At least** every 2 years, the regional planning coalition shall review the master plans, facilities plans and other similar plans that it receives pursuant to section 8 of this act, and determine whether those plans are in substantial conformance with the comprehensive regional policy plan.

2. If the regional planning coalition determines that a plan reviewed pursuant to subsection 1 is not in substantial conformance with the comprehensive regional policy plan, the regional planning coalition shall return the plan to the submitting entity accompanied by recommendations regarding the manner in which the submitting entity may bring the plan into substantial conformance with the comprehensive regional policy plan.

3. Within 90 days after the date on which a submitting entity receives the plan and recommendations from the regional planning coalition pursuant to subsection 2, the submitting entity shall provide to the regional planning coalition a written response setting forth the:

(a) Manner in which the submitting entity changed the plan to be in substantial conformance with the comprehensive regional policy plan; or

(b) Reasons of the submitting entity for not bringing the plan into substantial conformance.

4. If the regional planning coalition determines that all the plans that a city or county is required to submit pursuant to section 8 of this act are in substantial conformance with the comprehensive regional policy plan, the regional planning coalition shall issue to the city or county a certificate or other indicia of that determination. Upon receipt of such a certificate or other indicia, the city or county, until the next time the regional planning coalition reviews the plans of the city or county pursuant to subsection 1, is entitled to establish its own policies and procedures with respect to regional planning, to the extent that those policies and procedures do not conflict with federal or state law.

Sec. 30. Assembly Bill No. 493 of this session is hereby amended by adding thereto a new section designated section 12.5, following sec. 12, to read as follows:

Sec. 12.5. NRS 278.010 is hereby amended to read as follows:

278.010 As used in NRS 278.010 to 278.630, inclusive, *and sections 3 to 12, inclusive, of this act* unless the context otherwise requires, the words and terms defined in NRS 278.0105 to 278.0195, inclusive, have the meanings ascribed to them in those sections.

Sec. 31. Section 13 of Assembly Bill No. 493 of this session is hereby amended to read as follows:

Sec. 13. Each governing body, regional agency, state agency or public utility that is located in whole or in part within the region shall, on or before May 1, 2000, submit to the regional planning coalition for its review all existing master plans, facilities plans and other similar plans of the governing body, regional agency, state agency or public utility. As used in this section, "regional planning coalition" has the meaning ascribed to it in section 2 of Senate Bill No. 394 of this session.

Sec. 32. Section 14 of Assembly Bill No. 493 of this session is hereby amended to read as follows:

Sec. 14. The regional planning coalition:

1. Shall:

(a) On or before March 1, 2001:

(1) Adopt a comprehensive regional policy plan in accordance with section 5 of this act. Before approving the plan, the regional planning coalition shall hold public hearings on the proposed plan in the cities and unincorporated areas within the county.

(2) In cooperation with local governmental entities within the county, develop guidelines to determine whether master plans, facilities plans and other similar plans established by those entities would conform with the comprehensive regional policy plan.

(b) On or before July 1, 2001, establish a preliminary definition for the term "project of regional significance." In establishing the definition, the regional planning commission shall consider the

factors set forth in paragraphs (a) and (b) of subsection 2 of section 7 of this act.

(c) On or before July 1, 2002, review the master plans, facilities plans and other similar plans that it receives pursuant to section 8 of this act, and determine whether those plans are in conformance with the comprehensive regional policy plan.

2. May, on or before February 1, 2001, submit three requests for proposed legislation to the legislature if the regional planning coalition determines that the proposed legislation is necessary to:

(a) Ensure the adequacy and consistency of activities within the region that are related to regional planning; or

(b) Enable local governmental entities within the region to carry out their authority to govern in a more efficient manner.

3. As used in this section, "regional planning coalition" has the meaning ascribed to it in section 2 of Senate Bill No. 394 of this session.

Sec. 33. Section 3 of Senate Bill No. 394 of this session is hereby amended to read as follows:

Sec. 3. In a county whose population is 400,000 or more, the board of county commissioners and the city council of each of at least the three largest cities in the county shall establish a regional planning coalition by cooperative agreement pursuant to chapter 277 of NRS. ~~[The regional planning coalition may:~~

~~—1.— Develop policies for the region, including, without limitation, the promotion of orderly development, coordinated land use planning and the efficient provision of services to urban areas, including, without limitation, roads, water and sewer service and police and fire protection, mass transit, libraries and parks;~~

~~—2.— Coordinate sources of information;~~

~~—3.— Establish standardized projections for population;~~

~~—4.— Recommend measures to increase the efficiency of governmental entities and services;~~

~~—5.— Make recommendations regarding the disposal of federal land;~~

~~—6.— Establish methods for resolving disputes regarding annexation and other matters that arise between jurisdictions; and~~

~~—7.— Not more than once every 2 years, review:~~

~~—(a) Master plans adopted by the governing body of the county and each city; and~~

~~—(b) The annual plan for capital improvements prepared by the governing body of each local government in the county pursuant to NRS 278.0226.]~~

Sec. 34. Section 4 of Senate Bill No. 394 of this session is hereby amended to read as follows:

Sec. 4. 1. ~~[In a county whose population is 400,000 or more, the]~~ **The** regional planning coalition shall cooperate with the local

air pollution control board and the regional transportation commission in the county in which it is located to:

(a) Ensure that the plans, policies and programs adopted by each of them are consistent to the greatest extent practicable.

(b) ~~Establish~~ *In addition to the comprehensive regional policy plan required by section 5 of Assembly Bill No. 493 of this session as amended by section 24 of Senate Bill No. 391 of this session, establish* and carry out a program of integrated, long-range planning that conserves the economic, financial and natural resources of the region and supports a common vision of desired future conditions.

2. Before adopting or amending a plan, policy or program, the regional planning coalition shall:

(a) Consult with the local air pollution control board and the regional transportation commission; and

(b) Conduct hearings to solicit public comment on the consistency of the plan, policy or program with:

(1) The plans, policies and programs adopted or proposed to be adopted by the local air pollution control board and the regional transportation commission; and

(2) Plans for capital improvements that have been prepared pursuant to NRS 278.0226.

3. If the program for control of air pollution established and administered by the local air pollution control board includes measures for the control of traffic or transportation, the regional planning coalition shall consider recommending the use of alternative land use designations, densities and design standards to meet local and regional needs with respect to transportation.

4. Not more than once every 2 years, the regional planning coalition shall:

(a) Prepare a report that summarizes the policies related to land use, transportation and air quality which it has adopted and which the local air pollution control board and the regional transportation commission have adopted; and

(b) Submit a copy of the report to the:

(1) County clerk of the appropriate county;

(2) Division of environmental protection of the state department of conservation and natural resources;

(3) Division of state lands of the state department of conservation and natural resources; and

(4) Department of transportation.

5. As used in this section:

(a) "Local air pollution control board" means a board that establishes a program for the control of air pollution pursuant to NRS 445B.500.

(b) "Regional transportation commission" means a regional transportation commission created and organized in accordance with chapter 373 of NRS.

Sec. 35. Sections 2 and 4 of Assembly Bill No. 493 of this session are hereby repealed.

Sec. 36. 1. This section and sections 1 to 13, inclusive, and 14 of this act become effective on October 1, 1999.

2. Sections 15 and 33 of this act become effective at 12:01 a.m. on October 1, 1999.

3. Sections 23, 28 and 35 of this act become effective on December 31, 1999.

4. Section 30 of this act becomes effective on January 1, 2000.

5. Sections 24 to 27, inclusive, 29, 31 and 32 of this act become effective at 12:01 a.m. on January 1, 2000.

6. Section 13.3 of this act becomes effective on July 1, 2000.

7. Section 34 of this act becomes effective at 12:01 a.m. on July 1, 2001.

8. The provisions of section 8 of this act expire by limitation on June 1, 2004.

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